

AMENDED IN SENATE APRIL 29, 2009

AMENDED IN SENATE APRIL 16, 2009

SENATE BILL

No. 311

Introduced by Senator Alquist

February 25, 2009

An act to add Section 12693.265 to the Insurance Code, relating to health care coverage.

LEGISLATIVE COUNSEL'S DIGEST

SB 311, as amended, Alquist. Healthy Families Program: dental-only coverage.

Existing law, the federal Children's Health Insurance Program Reauthorization Act of 2009, authorizes states with a separate Children's Health Insurance Program to provide dental-only supplemental coverage to children who are enrolled in group health care coverage or health insurance coverage offered through an employer and who would otherwise satisfy the requirements for being a targeted low-income child, as specified.

Existing law creates the Healthy Families Program, administered by the Managed Risk Medical Insurance Board, to arrange for the provision of health, dental, and vision benefits to eligible children pursuant to the federal Children's Health Insurance Program.

This bill would, contingent ~~on~~ *upon* the receipt and appropriation of funds, require the board to provide dental-only coverage consistent with the federal Children's Health Insurance Program Reauthorization Act of 2009, as specified, and would authorize the board to adopt *emergency* regulations to implement that requirement.

The

This bill would also state the intent of the Legislature to enact legislation that would implement other provisions of the federal Children’s Health Insurance Program Reauthorization Act of 2009.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature hereby finds and declares all of
2 the following:

3 (a) Congress and the President have reauthorized the federal
4 Children’s Health Insurance Program, which provides funding for
5 the state’s Healthy Families Program.

6 (b) The reauthorization legislation has provided additional
7 funding for children’s health insurance and additional flexibility
8 to states to improve and expand health care coverage for children.

9 (c) Although more than nine of every 10 children in California
10 have health care coverage, about 683,000 children in the state are
11 without health care coverage according to 2007 data from the
12 Center for Health Policy Research at the University of California
13 at Los Angeles.

14 (d) It is imperative that the state act to take advantage of the
15 increased federal funding and enhanced flexibility in administering
16 the federal Children’s Health Insurance Program.

17 (e) It is the intent of the Legislature to enact legislation that
18 would implement the key elements of the federal Children’s Health
19 Insurance Program Reauthorization Act of 2009, including
20 receiving federal matching funds for enrolling eligible immigrant
21 children, implementing changes to citizen documentation
22 requirements, ensuring parity in state coverage, establishing new
23 payment methods for clinics participating in the Healthy Families
24 Program, measuring quality of care within public programs, and
25 taking advantage of the increased federal funding that is available
26 to California, including bonuses and targeted grant programs, such
27 as performance bonuses and outreach funding.

28 SEC. 2. Section 12693.265 is added to the Insurance Code, to
29 read:

30 12693.265. (a) Subject to subdivisions (b) and (c), the board
31 shall provide dental-only coverage as authorized by Section 501
32 of the Children’s Health Insurance Program Reauthorization Act

1 of 2009 (Public Law 111-3). To be eligible to receive this coverage,
2 a child shall be an eligible child, as described in subdivision (a)
3 of Section 12693.70, except that the child shall be enrolled in *a*
4 *group health plan or* employer-sponsored coverage that does not
5 provide dental benefits or cost sharing that meets the requirements
6 of Section 12693.63 and its implementing regulations.

7 (b) The board may adopt, and may only one time readopt,
8 regulations, *deemed to be emergency regulations*, to implement
9 subdivision (a). ~~The~~ This adoption and one-time readoption of a
10 regulation authorized by this subdivision is deemed to address an
11 emergency, for purposes of Sections 11346.1 and 11349.6 of the
12 Government Code, and the board is hereby exempted for this
13 purpose from the requirements of subdivision (b) of Section
14 11346.1 of the Government Code.

15 (c) This section shall be implemented only if and to the extent
16 that federal financial participation is obtained and only if and to
17 the extent that funds are appropriated by the Legislature for
18 purposes of this section in the annual Budget Act or in another
19 statute.